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SENATE BILL 357

44TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 1999

INTRODUCED BY

Nancy E. Rodriguez

AN ACT

RELATING TO HUMAN RIGHTS; AMENDING SECTIONS OF THE NMSA 1978  
TO PROVIDE FOR PUBLIC ACCESS FOR ASSISTANCE ANIMALS AND THEIR  
TRAINERS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 28-11-2 NMSA 1978 (being Laws 1989,  
Chapter 242, Section 1) is amended to read:

"28-11-2. DEFINITIONS. -- As used in ~~[this act]~~ Section  
28-11-3 NMSA 1978, "qualified ~~[service]~~ assistance animal"  
means:

A. a ~~[guide]~~ dog trained or being trained by a  
recognized ~~[guide dog]~~ school ~~[to lead a partially or totally~~  
~~blind person]~~ for training dogs to assist persons with  
disabilities;

B. ~~[a hearing ear dog trained by a recognized~~

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1 ~~hearing ear dog school to aid a hearing impaired person;~~

2 C. ~~a service dog trained by a recognized service~~  
3 ~~dog school or training program to assist a mobility impaired~~  
4 ~~person]~~ an animal recognized as a service animal pursuant to  
5 the Americans with Disabilities Act of 1990; or

6 [D.] C. any other animal approved by the  
7 ~~[vocational rehabilitation division of the state department of~~  
8 ~~public education]~~ governor's committee on concerns of the  
9 handicapped as acceptable in public places and trained to  
10 provide some special assistance to a person with a [ ~~mobility~~  
11 ~~impairment]~~ disability. "

12 Section 2. Section 28-11-3 NMSA 1978 (being Laws 1989,  
13 Chapter 242, Section 2) is amended to read:

14 "28-11-3. ADMITTANCE OF QUALIFIED [ ~~SERVICE~~] ASSISTANCE  
15 ANIMALS. -- [A.] Notwithstanding any other provision of law, a  
16 qualified [ ~~servicee~~] assistance animal shall be admitted to any  
17 building open to the public and to all public accommodations  
18 such as restaurants, hotels, hospitals, swimming pools,  
19 stores, common carriers and theaters; provided that the  
20 qualified [ ~~servicee~~] assistance animal is under the control of  
21 a [ ~~totally or partially blind, hearing impaired or mobility~~  
22 ~~impaired]~~ person [B. ~~Pursuant to Subsection A of this~~  
23 ~~section]~~ with a disability or a trainer of assistance animals.

24 No person shall be required to pay any additional charges for  
25 his qualified [ ~~servicee~~] assistance animal, but [he] shall be

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liable for any damage done by his qualified assistance  
animal. "

1 FORTY-FOURTH LEGISLATURE

2 FIRST SESSION, 1999

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4  
5 March 3, 1999

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8 Mr. President:

9  
10 Your PUBLIC AFFAIRS COMMITTEE, to whom has been  
11 referred

12  
13 SENATE BILL 357

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15 has had it under consideration and reports same with  
16 recommendation that it DO PASS, and thence referred to the  
17 JUDICIARY COMMITTEE.

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19 Respectfully submitted,

Shannon Robinson, Chairman

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Adopted \_\_\_\_\_ Not

Adopted \_\_\_\_\_

(Chief Clerk)

(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 5 For 0 Against

Yes: 5

No: 0

Excused: Boitano, Ingle, Smith, Robinson

Absent: None

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1 FORTY-FOURTH LEGISLATURE  
2 FIRST SESSION, 1999  
3  
4  
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6 March 16, 1999  
7

8 Mr. Speaker:  
9

10 Your CONSUMER AND PUBLIC AFFAIRS COMMITTEE, to  
11 whom has been referred  
12

13 SENATE BILL 357  
14

15 has had it under consideration and reports same with  
16 recommendation that it DO PASS.

17 Respectfully submitted,  
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21 \_\_\_\_\_  
22 Patsy Trujillo Knauer, Chairwoman  
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FORTY-FOURTH LEGISLATURE  
FIRST SESSION, 1999

HCPAC/SB 357

Page 7

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
(Chief Clerk) (Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 7 For 0 Against

Yes: 7

Excused: None

Absent: None

J:\99Bill\SWP\S0357

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1 FORTY- FOURTH LEGISLATURE  
2 FIRST SESSION, 1999

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4 March 16, 1999

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7 Mr. Speaker:

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9 Your CONSUMER AND PUBLIC AFFAIRS COMMITTEE, to  
10 whom has been referred

11 SENATE BILL 357

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13 has had it under consideration and reports same with  
14 recommendation that it DO PASS.

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16 Respectfully submitted,

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21 Patsy Trujillo Knauer, Chairwoman  
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FORTY-FOURTH LEGISLATURE  
FIRST SESSION, 1999

HCPAC/SB 357

Page 9

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
(Chief Clerk) (Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 7 For 0 Against

Yes: 7

Excused: None

Absent: None

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